



UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2016 Grand Jury

UNITED STATES OF AMERICA,

CR 15-361(A) -JGB

Plaintiff,

F I R S T  
S U P E R S E D I N G  
I N D I C T M E N T

v.

STARLITE RECLAMATION  
ENVIRONMENTAL SERVICES, INC.,  
CHRISTOPHER JARAMILLO,  
ROBERT SHERMAN CONN,  
ANDREW JAMES HUCKS, and  
FERNANDO TORRES,

[18 U.S.C. § 371: Conspiracy; 33  
U.S.C. §§ 1317(d), 1319(c)(2)(A):  
Knowing Discharge of a Water  
Pollutant in Violation of a  
Pretreatment Standard; 33 U.S.C.  
§ 1319(c)(4): Tampering With and  
Rendering Inaccurate a Monitoring  
Device and Method; 18 U.S.C.  
§ 2(b): Causing An Act To Be Done]

Defendants.

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS

At all times relevant to this First Superseding Indictment:

A. The Defendants

1. Defendant STARLITE RECLAMATION ENVIRONMENTAL SERVICES, INC.  
("STARLITE") was a business entity located in Fontana, California,  
that treated and disposed industrial wastewater that it received from  
its customers.

1           2. Defendant CHRISTOPHER JARAMILLO was the owner and President  
2 of defendant STARLITE with the authority and responsibility for  
3 defendant STARLITE'S proper treatment and disposal of industrial  
4 wastewater.

5           3. Defendant ROBERT SHERMAN CONN was a vice president of  
6 defendant STARLITE with the authority and responsibility for  
7 defendant STARLITE'S proper treatment and disposal of industrial  
8 wastewater.

9           4. Defendant ANDREW JAMES HUCKS was employed by defendant  
10 STARLITE as a plant operator.

11           5. Defendant FERNANDO TORRES was employed by defendant  
12 STARLITE as a plant operator.

13 B. The Clean Water Act

14           6. The Federal Water Pollution Control Act, commonly known as  
15 the Clean Water Act ("CWA"), prohibited the owner or operator of any  
16 source of pollutants from introducing such pollutants into a  
17 municipal sewage system in violation of pretreatment standards under  
18 the CWA. 33 U.S.C. § 1317(d).

19           7. "Pollutant" meant, among other things, chemical and  
20 industrial waste. 33 U.S.C. § 1362(6).

21           8. Pursuant to the CWA, the United States Environmental  
22 Protection Agency ("EPA") promulgated what are called "National  
23 Pretreatment Standards" for industrial sources of wastewater, such as  
24 defendant STARLITE, which discharge to Publicly Owned Treatment Works  
25 ("POTWs"). 33 U.S.C. § 1317(b) and (c).

26           9. POTWs were public facilities such as sewage treatment  
27 plants that treat municipal sewage or industrial waste of a liquid  
28



1 nature. The term "POTWs" included sewers, pipes, or other  
2 conveyances that convey water to a POTW. 40 C.F.R. § 403.3(q).

3 10. Industrial wastewater dischargers such as defendant  
4 STARLITE were required to pretreat their wastewater before  
5 discharging it to a POTW in order to comply with the National  
6 Pretreatment Standards. 33 U.S.C. §§ 1317(b), (d); 40 C.F.R.  
7 §§ 403.1 et seq.

8 11. "Pretreatment" included the reduction of the amount of  
9 pollutants, the elimination of pollutants, or the alteration of the  
10 nature of pollutant properties in wastewater before discharging such  
11 pollutants into a POTW. 40 C.F.R. § 403.3(s).

12 12. The National Pretreatment Standards also prohibited the  
13 discharge to a POTW of industrial wastewater which had a pH level  
14 lower than 5.0. 40 C.F.R. § 403.5(b)(2).

15 13. The County Sanitation Districts of Los Angeles County ("LA  
16 County Sanitation") had a local pretreatment program that was  
17 approved on or about March 27, 1985, by the EPA pursuant to the CWA.  
18 Pursuant to that approval, LA County Sanitation was authorized to  
19 issue permits to industrial users for the discharge of treated  
20 wastewater to a POTW.

21 14. The Inland Empire Utilities Agency ("IEUA") had a  
22 pretreatment program that was approved on or about May 6, 1983, by  
23 the EPA pursuant to the CWA.

24 15. Defendant STARLITE discharged its treated wastewater into a  
25 POTW operated by the IEUA, which flowed to a POTW operated by LA  
26 County Sanitation.

27 16. Defendant STARLITE had a discharge permit issued by LA  
28 County Sanitation that, under certain conditions and requirements,

1 allowed defendant STARLITE to discharge treated industrial wastewater  
2 to a POTW.

3 17. Included in the permit issued to defendant STARLITE was the  
4 requirement that defendant STARLITE conduct periodic monitoring and  
5 sampler of the treated wastewater that it discharged to a POTW. The  
6 permit further required that the wastewater samples were to be  
7 collected in such a way that they were representative of the total  
8 discharge of wastewater generated by a typical day's operations, and  
9 that each representative sample should be collected over one 24-hour  
10 period and analyzed for certain parameters set forth in the permit.

11 18. The conditions and requirements under the permit issued to  
12 defendant STARLITE were enforced by LA County Sanitation and the  
13 IEUA.

14 19. These Introductory Allegations are incorporated by this  
15 reference into each and every count of this First Superseding  
16 Indictment.

COUNT ONE

[18 U.S.C. § 371]

A. OBJECTS OF THE CONSPIRACY

Beginning on an unknown date and continuing to on or about June 4, 2015, in San Bernardino County, within the Central District of California, and elsewhere, defendants STARLITE RECLAMATION ENVIRONMENTAL SERVICES, INC. ("STARLITE"), CHRISTOPHER JARAMILLO ("JARAMILLO"), ROBERT SHERMAN CONN ("CONN"), ANDREW JAMES HUCKS ("HUCKS"), and FERNANDO TORRES ("TORRES"), and others known and unknown to the Grand Jury, conspired and agreed with each other to:

(1) knowingly discharge water pollutants in violation of a national pre-treatment standard, in violation of Title 33, United States Code, Sections 1317, 1319(c)(2)(A);

(2) knowingly tamper with and render inaccurate a monitoring device and method used to measure the pH of water pollutants, in violation of Title 33, United States Code, Sections 1317 and 1319(c)(4); and

(3) knowingly and willfully defraud the United States by using deceitful and dishonest means to frustrate the functions and efforts of the United States Environmental Protection Agency to enforce the Clean Water Act ("CWA").

B. MANNER AND MEANS OF THE CONSPIRACY

The objects of the conspiracy were carried out, and were to be carried out, in substance as follows:

1. Defendants JARAMILLO and CONN would cause defendants HUCKS and TORRES and others not to treat, or not to sufficiently treat, wastewater that had been delivered to defendant STARLITE for treatment.



1           2.     Defendants HUCKS and TORRES, while responsible for  
2     operating equipment that should have been used to treat wastewater,  
3     would knowingly fail to treat, or to sufficiently treat, the  
4     wastewater.

5           3.     Defendants HUCKS and TORRES would knowingly discharge, or  
6     cause to be discharged, wastewater that had not been treated and,  
7     consequently, had a pH level below 5.0.

8           4.     Defendant JARAMILLO would instruct defendants HUCKS and  
9     TORRES to fill the sample box, in which the pH of treated wastewater  
10    was to be measured, with clean water so that a monitoring device  
11    would only draw in clean water instead of wastewater that had not  
12    been treated.

13          5.     Defendant CONN would instruct defendant HUCKS and another  
14    employee of defendant STARLITE to add coffee to a bucket of clean  
15    water so that samples of the water that were measured by a monitoring  
16    device would look more like treated wastewater.

17          6.     Defendant CONN would instruct defendant HUCKS to remove a  
18    monitoring device, namely, a pH probe, from the sample box and to put  
19    the pH probe into a bucket of clean water, in order to evade  
20    detection of low pH wastewater being discharged into a POTW.

21          7.     Defendant CONN would instruct defendant TORRES to remove a  
22    pH probe from the sample box at the time when defendant STARLITE was  
23    discharging untreated, or insufficiently treated, wastewater.

24          8.     Defendant CONN would instruct defendant TORRES to remove a  
25    hose from the sample box so that another monitoring device, known as  
26    an ISCO sampler device, would not detect untreated wastewater that  
27    would be discharged by defendant STARLITE.

1           9.     When inspectors from the Inland Empire Utilities Agency  
2 would arrive at STARLITE's facility to conduct a compliance  
3 inspection, employees of defendant STARLITE, including defendant  
4 HUCKS, would take steps, such as closing off the wastewater treatment  
5 area from view of the inspectors, to evade detection of their  
6 unlawful discharges of wastewater or their tampering with monitoring  
7 equipment.

8           10.    Defendant STARLITE would discharge low pH wastewater into  
9 the POTW well outside of its represented hours of operation to avoid  
10 detection by authorities.

11           11.    Defendant CONN would instruct an employee of defendant  
12 STARLITE to modify defendant STARLITE's facility piping systems to  
13 increase defendant STARLITE's ability to discharge untreated  
14 wastewater.

15   C.   OVERT ACTS

16           On or about the following dates, in furtherance of the  
17 conspiracy and to accomplish its objects, defendants STARLITE,  
18 JARAMILLO, CONN, HUCKS, and TORRES, and other co-conspirators known  
19 and unknown to the Grand Jury, committed and willfully caused others  
20 to commit various overt acts within the Central District of  
21 California and elsewhere, including, but not limited to, the  
22 following:

23           Overt Act No. 1:     On or about November 25, 2014, during the  
24 hours between 9:30 a.m. and 10:30 a.m., defendants STARLITE and HUCKS  
25 discharged wastewater that had an average pH level of approximately  
26 3.81 into a drain that flowed to a publicly owned treatment works  
27 operated and maintained by the Inland Empire Utilities Agency and to  
28



1 another publicly owned treatment works operated by the County  
2 Sanitation Districts of Los Angeles County (the "Inland/LA POTW").

3 Overt Act No. 2: On or about November 26, 2014, defendant  
4 STARLITE discharged wastewater that had a pH level of approximately  
5 2.67 into the Inland/LA POTW.

6 Overt Act No. 3: On or about November 26, 2014, defendant  
7 HUCKS represented to IEUA inspectors that defendant STARLITE would be  
8 closed from November 27, 2014 to December 1, 2014.

9 Overt Act No. 4: On or about November 29, 2014, between the  
10 hours of 6:00 a.m. and 7:00 a.m., defendant STARLITE discharged  
11 wastewater that had an average pH level of approximately 3.13 into  
12 the Inland/LA POTW.

13 Overt Act No. 5: On or about December 1, 2014, defendant  
14 STARLITE discharged wastewater that had a pH level of approximately  
15 3.58 into the Inland/LA POTW

16 Overt Act No. 6: On or about December 2, 2014, when  
17 inspectors from the Inland Empire Utilities Agency arrived at  
18 defendant STARLITE's facility to conduct an inspection, employees of  
19 defendant STARLITE closed the door to the wastewater treatment area.

20 Overt Act No. 7: On or about December 17, 2014, defendant  
21 JARAMILLO represented to the Inland Empire Utilities Agency that  
22 STARLITE's operating hours were from 6:30 a.m. to 8:30 p.m.

23 Overt Act No. 8: On or about December 22, 2014, defendant  
24 STARLITE discharged wastewater that had a pH level of approximately  
25 2.61 into the Inland/LA POTW.

26 Overt Act No. 9: On or about December 23, 2014, between the  
27 hours of approximately 3:10 a.m. and 4:10 a.m., defendant STARLITE  
28 discharged wastewater that had an average pH level of approximately



1 3.58 into the Inland/LA POTW.

2 Overt Act No. 10: On or about December 24, 2014, between the  
3 hours of 3:10 a.m. and 4:10 a.m., defendant STARLITE discharged  
4 wastewater that had an average pH level of approximately 2.52 into  
5 the Inland/LA POTW.

6 Overt Act No. 11: On or about December 29, 2014, during the  
7 period between the hours of 7:40 p.m. and 8:40 p.m., defendants  
8 STARLITE and TORRES discharged wastewater that had an average pH  
9 level of approximately 2.78 into the Inland/LA POTW.

10 Overt Act No. 12: On or about December 30, 2014, during the  
11 period between 10:35 a.m. and 11:35 a.m., defendant STARLITE  
12 discharged wastewater that had an average pH of approximately 4.35  
13 into the Inland/LA POTW.

14 Overt Act No. 13: On or about December 30, 2014, during the  
15 period between 11:35 a.m. and 12:35 p.m., defendant STARLITE  
16 discharged wastewater that had an average pH of approximately 3.71  
17 into the Inland/LA POTW.

18 Overt Act No. 14: On or about December 30, 2014, between the  
19 period between 12:35 p.m. and 1:35 p.m., defendant STARLITE  
20 discharged wastewater that had an average pH of approximately 3.8  
21 into the Inland/LA POTW.

22 Overt Act No. 15: On or about December 30, 2014, during the  
23 period between 1:35 p.m. and 2:35 p.m., defendant STARLITE discharged  
24 wastewater that had an average pH of approximately 3.80 into the  
25 Inland/LA POTW.

26 Overt Act No. 16: On or about December 30, 2014, at  
27 approximately 2:17 p.m., as inspectors from the Inland Empire  
28 Utilities Agency arrived at defendant STARLITE's facility to conduct

1 an inspection, an employee of defendant STARLITE sounded an audio  
2 alarm throughout the facility and employees of defendant STARLITE,  
3 including one employee with a water hose in hand, were running.

4 Overt Act No. 17: On or about December 30, 2014, during the  
5 period between the hours of 2:35 p.m. and 3:35 p.m., defendant  
6 STARLITE discharged wastewater that had an average pH of  
7 approximately 12.50 into the Inland/LA POTW.

8 Overt Act No. 18: On or about December 30, 2014, during the  
9 period between the hours of 3:35 p.m. and 4:35 p.m., defendants  
10 STARLITE and TORRES discharged wastewater that had an average pH of  
11 approximately 12.51 into the Inland/LA POTW.

12 Overt Act No. 19: On or about December 31, 2014, during the  
13 period between the hours of 6:35 a.m. and 7:35 a.m., defendant  
14 STARLITE discharged wastewater that had an average pH level of  
15 approximately 4.22 into the Inland/LA POTW.

16 Overt Act No. 20: On or about January 5, 2015, defendants  
17 STARLITE and HUCKS discharged wastewater that had a pH level of  
18 approximately 2.54 into the Inland/LA POTW.

19 Overt Act No. 21: On or about January 12, 2015, during the  
20 period between the hours of 3:45 p.m. and 4:45 p.m., defendants  
21 STARLITE and TORRES discharged wastewater that had a pH level of  
22 approximately 3.55 into the Inland/LA POTW.

23 Overt Act No. 22: On or about January 13, 2015, during the  
24 period between the hours of 7:45 a.m. and 8:45 a.m., defendants  
25 STARLITE and HUCKS discharged wastewater that had an average pH level  
26 of approximately 3.2 into the Inland/LA POTW.

27 Overt Act No. 23: On or about January 14, 2015, during the  
28 period between the hours of 8:32 a.m. and 9:32 a.m., defendants



1 STARLITE and HUCKS discharged wastewater that had an average pH level  
2 of approximately 3.28 into the Inland/LA POTW.

3 Overt Act No. 24: On or about January 20, 2015, during the  
4 period between the hours of 2:00 p.m. and 3:00 p.m., defendants  
5 STARLITE and HUCKS discharged wastewater that had an average pH level  
6 of approximately 3.07 into the Inland/LA POTW.

7 Overt Act No. 25: On or about January 21, 2015, during the  
8 period between the hours of 7:00 a.m. and 8:00 a.m., defendants  
9 STARLITE and HUCKS discharged wastewater that had an average pH level  
10 of approximately 2.96 into the Inland/LA POTW.

11 Overt Act No. 26: On or about January 22, 2015, during the  
12 period between 8:00 a.m. and 9:00 a.m., defendants STARLITE and HUCKS  
13 discharged wastewater that had an average pH level of approximately  
14 3.05 into the Inland/LA POTW.

15 Overt Act No. 27: On or about January 26, 2015, at  
16 approximately 10:30 a.m., defendants STARLITE and HUCKS discharged  
17 wastewater that had a pH level of approximately 2.95 into the  
18 Inland/LA POTW.

19 Overt Act No. 28: On or about January 26, 2015, as inspectors  
20 from the Inland Empire Utilities Agency arrived at defendant  
21 STARLITE's facility at approximately 10:45 a.m., to conduct an  
22 inspection, an employee of defendant STARLITE made a hand signal to  
23 defendant HUCKS which consisted of moving his open palm hand, with  
24 his palm down and his hand perpendicular to his throat, from left to  
25 right.

26 Overt Act No. 29: On or about January 26, 2015, defendant  
27 HUCKS, upon the arrival of inspectors from the Inland Empire  
28 Utilities Agency at defendant STARLITE's facility, and just after

1 receiving a hand signal from an employee of defendant STARLITE,  
2 promptly left a truck receiving area and entered the wastewater  
3 treatment area and closed the door behind him.

4 Overt Act No. 30: On or about February 4, 2015, between the  
5 hours of approximately 2:15 a.m. and 3:15 a.m., defendant STARLITE  
6 discharged wastewater that had an average pH level of approximately  
7 3.01 into the Inland/LA POTW.

8 Overt Act No. 31: On or about February 5, 2015, during the  
9 period between the hours of 9:15 a.m. and 10:15 a.m., defendants  
10 STARLITE and HUCKS discharged wastewater that had an average pH level  
11 of approximately 3.65 into the Inland/LA POTW.

12 Overt Act No. 32: On or about February 13, 2015, defendant  
13 STARLITE discharged wastewater that had a pH level of less than 4.0  
14 into the Inland/LA POTW.

15 Overt Act No. 33: On or about February 14, 2015, defendant  
16 STARLITE discharged wastewater that had a pH level of less than 4.0  
17 into the Inland/LA POTW.

18 Overt Act No. 34: On or about February 16, 2015, defendants  
19 STARLITE and HUCKS discharged wastewater that had a pH level of less  
20 than 4.0 into the Inland/LA POTW.

21 Overt Act No. 35: On or about February 17, 2015, defendant  
22 STARLITE discharged wastewater that had a pH level of less than 4.0  
23 into the Inland/LA POTW.

24 Overt Act No. 36: On or about February 18, 2015, defendant  
25 STARLITE discharged wastewater that had a pH level of less than 4.0  
26 into the Inland/LA POTW.

27 Overt Act No. 37: On or about February 19, 2015, defendant  
28 STARLITE discharged wastewater that had a pH level of less than 4.0



1 into the Inland/LA POTW.

2 Overt Act No. 38: On or about February 20, 2015, defendant  
3 STARLITE discharged wastewater that had a pH level of less than 4.0  
4 into the Inland/LA POTW.

5 Overt Act No. 39: On or about February 21, 2015, defendant  
6 STARLITE discharged wastewater that had a pH level of less than 4.0  
7 into the Inland/LA POTW.

8 Overt Act No. 40: On or about February 24, 2015, defendants  
9 STARLITE and HUCKS discharged wastewater that had a pH level of less  
10 than 4.0 into the Inland/LA POTW.

11 Overt Act No. 41: On or about February 25, 2015, defendants  
12 STARLITE and HUCKS discharged wastewater that had a pH level of less  
13 than 4.0 into the Inland/LA POTW.

14 Overt Act No. 42: On or about February 26, 2015, defendants  
15 STARLITE and HUCKS discharged wastewater that had a pH level of less  
16 than 4.0 into the Inland/LA POTW.

17 Overt Act No. 43: On or about February 27, 2015, defendant  
18 STARLITE discharged wastewater that had a pH level of less than 4.0  
19 into the Inland/LA POTW.

20 Overt Act No. 44: On or about February 28, 2015, defendant  
21 STARLITE discharged wastewater that had a pH level of less than 4.0  
22 into the Inland/LA POTW.

23 Overt Act No. 45: On or about March 3, 2015, defendant  
24 STARLITE discharged wastewater that had a pH level of less than 4.0  
25 into the Inland/LA POTW.

26 Overt Act No. 46: On or about March 4, 2015, defendant  
27 STARLITE discharged wastewater that had a pH level of less than 4.0  
28 into the Inland/LA POTW.

1        Overt Act No. 47:    On or about March 6, 2015, defendant  
2    STARLITE and HUCKS discharged wastewater that had a pH level of less  
3    than 3.0 into the Inland/LA POTW.

4        Overt Act No. 48:    On or about March 7, 2015, defendant  
5    STARLITE discharged wastewater that had a pH level of less than 3.0  
6    into the Inland/LA POTW.

7        Overt Act No. 49:    On or about March 11, 2015, defendants  
8    STARLITE and HUCKS discharged wastewater that had a pH level of less  
9    than 4.0 into the Inland/LA POTW.

10       Overt Act No. 50:    On or about March 12, 2015, defendant  
11    STARLITE discharged wastewater that had a pH level of less than 4.0  
12    into the Inland/LA POTW.

13       Overt Act No. 51:    On or about March 13, 2015, defendant  
14    STARLITE discharged wastewater that had a pH level of less than 4.0  
15    into the Inland/LA POTW.

16       Overt Act No. 52:    On or about March 14, 2015, defendant  
17    STARLITE discharged wastewater that had a pH level of less than 4.0  
18    into the Inland/LA POTW.

19       Overt Act No. 53:    On or about March 17, 2015, defendant  
20    STARLITE discharged wastewater that had a pH level of less than 4.0  
21    into the Inland/LA POTW.

22       Overt Act No. 54:    On or about March 18, 2015, defendant  
23    STARLITE discharged wastewater that had a pH level of less than 4.0  
24    into the Inland/LA POTW.

25       Overt Act No. 55:    On or about March 19, 2015, defendant  
26    STARLITE discharged wastewater that had a pH level of less than 4.0  
27    into the Inland/LA POTW.

28       Overt Act No. 56:    On or about March 20, 2015, defendants



1 STARLITE and TORRES discharged wastewater that had a pH level of less  
2 than 4.0 into the Inland/LA POTW.

3 Overt Act No. 57: On or about March 23, 2015, defendants  
4 STARLITE and TORRES discharged wastewater that had a pH level of less  
5 than 4.0 into the Inland/LA POTW.

6 Overt Act No. 58: On or about March 24, 2015, defendants  
7 STARLITE and HUCKS discharged wastewater that had a pH level of less  
8 than 4.0 into the Inland/LA POTW.

9 Overt Act No. 59: On or about March 25, 2015, defendant  
10 STARLITE discharged wastewater that had a pH level of less than 3.0  
11 into the Inland/LA POTW.

12 Overt Act No. 60: On or about March 26, 2015, defendants  
13 STARLITE and HUCKS discharged wastewater that had a pH level of less  
14 than 3.0 into the Inland/LA POTW.

15 Overt Act No. 61: On or about March 26, 2015, defendants  
16 STARLITE and TORRES discharged wastewater that had a pH level of less  
17 than 4.0 into the Inland/LA POTW.

18 Overt Act No. 62: On or about March 27, 2015, defendants  
19 STARLITE and HUCKS discharged wastewater that had a pH level of less  
20 than 4.0 into the Inland/LA POTW.

21 Overt Act No. 63: On or about March 31, 2015, defendants  
22 STARLITE and HUCKS discharged wastewater that had a pH level of less  
23 than 4.0 into the Inland/LA POTW.

24 Overt Act No. 64: On or about March 31, 2015, defendants  
25 STARLITE and TORRES discharged wastewater that had a pH level of less  
26 than 4.0 into the Inland/LA POTW.

27 Overt Act No. 65: On or about April 1, 2015, defendants  
28 STARLITE and HUCKS discharged wastewater that had a pH level of less

1 than 4.0 into the Inland/LA POTW.

2 Overt Act No. 66: On or about April 2, 2015, defendants  
3 STARLITE and HUCKS discharged wastewater that had a pH level of less  
4 than 4.0 into the Inland/LA POTW.

5 Overt Act No. 67: On or about April 2, 2015, defendants  
6 STARLITE and TORRES discharged wastewater that had a pH level of less  
7 than 4.0 in the Inland/LA POTW.

8 Overt Act No. 68: On or about April 3, 2015, defendants  
9 STARLITE and HUCKS discharged wastewater that had a pH level of less  
10 than 4.0 into the Inland/LA POTW.

11 Overt Act No. 69: On or about April 6, 2015, defendants  
12 STARLITE and HUCKS discharged wastewater that had a pH level of less  
13 than 4.0 into the Inland/LA POTW.

14 Overt Act No. 70: On or about April 7, 2015, defendants  
15 STARLITE and HUCKS discharged wastewater that had a pH level of less  
16 than 4.0 into the Inland/LA POTW.

17 Overt Act No. 71: On or about April 8, 2015, defendants  
18 STARLITE and HUCKS discharged wastewater that had a pH level of less  
19 than 4.0 into the Inland/LA POTW.

20 Overt Act No. 72: On or about April 9, 2015, defendants  
21 STARLITE and HUCKS discharged wastewater that had a pH level of less  
22 than 4.0 into the Inland/LA POTW.

23 Overt Act No. 73: On or about April 9, 2015, defendants  
24 STARLITE and TORRES discharged wastewater that had a pH level of less  
25 than 4.0 into the Inland/LA POTW.

26 Overt Act No. 74: On or about April 10, 2014, defendant  
27 STARLITE discharged wastewater that had a pH level of less than 4.0  
28 into the Inland/LA POTW.



1        Overt Act No. 75:    On or about April 23, 2015, defendant  
2 STARLITE discharged wastewater that had a pH level of less than 4.0  
3 into the Inland/LA POTW.

4        Overt Act No. 76:    On or about April 24, 2015, defendants  
5 STARLITE and TORRES discharged wastewater that had a pH level of less  
6 than 4.0 into the Inland/LA POTW.

7        Overt Act No. 77:    On or about April 27, 2015, defendants  
8 STARLITE and HUCKS discharged wastewater that had a pH level of less  
9 than 4.0 into the Inland/LA POTW.

10       Overt Act No. 78:    On or about April 28, 2015, defendants  
11 STARLITE and HUCKS discharged wastewater that had a pH level of less  
12 than 4.0 into the Inland/LA POTW.

13       Overt Act No. 79:    On or about April 29, 2015, defendants  
14 STARLITE and HUCKS discharged wastewater that had a pH level of less  
15 than 4.0 into the Inland/LA POTW.

16       Overt Act No. 80:    On or about April 30, 2015, defendant  
17 STARLITE discharged wastewater that had a pH level of less than 4.0  
18 into the Inland/LA POTW.

19       Overt Act No. 81:    On or about May 1, 2015, defendant STARLITE  
20 discharged wastewater that had a pH level of less than 4.0 into the  
21 Inland/LA POTW.

22       Overt Act No. 82:    On or about May 4, 2015, defendant STARLITE  
23 discharged wastewater that had a pH level of less than 4.0 into the  
24 Inland/LA POTW.

25       Overt Act No. 83:    On or about May 5, 2015, defendant STARLITE  
26 discharged wastewater that had a pH level of less than 4.0 into the  
27 Inland/LA POTW.

28       Overt Act No. 84:    On or about May 6, 2015, defendants STARLITE

1 and TORRES discharged wastewater that had a pH level of less than 4.0  
2 into the Inland/LA POTW.

3 Overt Act No. 85: On or about May 7, 2015, defendant STARLITE  
4 discharged wastewater that had a pH level of less than 4.0 into the  
5 Inland/LA POTW.

6 Overt Act No. 86: On or about May 8, 2015, defendants STARLITE  
7 and TORRES discharged wastewater that had a pH level of less than 4.0  
8 into the Inland/LA POTW.

9 Overt Act No. 87: On or about May 11, 2015, defendants  
10 STARLITE and TORRES discharged wastewater that had a pH level of less  
11 than 4.0 into the Inland/LA POTW.

12 Overt Act No. 88: On or about May 12, 2015, defendants  
13 STARLITE and TORRES discharged wastewater that had a pH level of less  
14 than 4.0 into the Inland/LA POTW.

15 Overt Act No. 89: On or about May 13, 2015, defendant STARLITE  
16 discharged wastewater that had a pH level of less than 4.0 into the  
17 Inland/LA POTW.

18 Overt Act No. 90: On or about May 14, 2015, defendants  
19 STARLITE and TORRES discharged wastewater that had a pH level of less  
20 than 4.0 into the Inland/LA POTW.

21 Overt Act No. 91: On or about May 15, 2015, defendant STARLITE  
22 discharged wastewater that had a pH level of less than 4.0 into the  
23 Inland/LA POTW.

24 Overt Act No. 92: On or about June 3, 2015, defendant HUCKS  
25 removed an ISCO sampler device hose from the sample box.

26 Overt Act No. 93: On or about June 3, 2015, an employee of  
27 defendant STARLITE removed a pH probe from the sample box.

28 Overt Act No. 94: On or about June 4, 2015, defendant HUCKS,



1 removed a pH probe from the sample box, as instructed by defendant  
2 CONN.

3 Overt Act No. 95: On or about June 4, 2015, defendant HUCKS  
4 removed an ISCO sampler device hose from the sample box.

5 Overt Act No. 96: On or about June 4, 2015, defendant STARLITE  
6 diverted untreated wastewater from its treatment system and  
7 discharged the untreated wastewater into the Inland/LA POTW.

8 Overt Act No. 97: On or about June 4, 2015, defendant STARLITE  
9 discharged wastewater that had a pH level of approximately 2.96 into  
10 the Inland/LA POTW.

## COUNTS TWO THROUGH TEN

[33 U.S.C. §§ 1317(d), 1319(c)(2)(A); 18 U.S.C. § 2(b)]

On or about the following dates, in San Bernardino County, within the Central District of California, defendants STARLITE RECLAMATION ENVIRONMENTAL SERVICES, INC. ("STARLITE"), CHRISTOPHER JARAMILLO, ROBERT SHERMAN CONN, ANDREW JAMES HUCKS, and FERNANDO TORRES, as operators of a source, namely, the business premises of defendant STARLITE, located at 11225 Mulberry Avenue, Fontana, California, knowingly operated the source, and knowingly caused the source to be operated, in such a manner as to discharge, and willfully cause to be discharged, pollutants, namely, industrial wastewaters which had a pH level of less than 5.0, as indicated below, from defendant STARLITE's premises into a drain that flowed to a publicly owned treatment works operated and maintained by the Inland Empire Utilities Agency and to another publicly owned treatment works operated by the County Sanitation Districts of Los Angeles County, in violation of a National Pretreatment Standard.

<u>COUNT</u>	<u>DATE</u>	<u>pH OF DOWNSTREAM INDUSTRIAL WASTEWATER DISCHARGE</u>
TWO	1-12-15	Average pH approximately 3.55
THREE	1-13-15	Average pH approximately 3.20
FOUR	1-14-15	Average pH approximately 3.28
FIVE	1-20-15	Average pH approximately 3.07
SIX	1-21-15	Average pH approximately 2.96
SEVEN	3-6-15	Less than 3.00



<u>COUNT</u>	<u>DATE</u>	<u>pH OF DOWNSTREAM INDUSTRIAL WASTEWATER DISCHARGE</u>
EIGHT	3-7-15	Less than 3.00
NINE	3-26-15	Less than 3.00
TEN	6-4-15	Approximately 2.96

## COUNT ELEVEN

[33 U.S.C. § 1319(c)(4); 18 U.S.C. § 2(b)]

On or about June 3, 2015, in San Bernardino County, within the Central District of California, defendants STARLITE RECLAMATION ENVIRONMENTAL SERVICES, INC. ("STARLITE"), CHRISTOPHER JARAMILLO, ROBERT SHERMAN CONN, ANDREW JAMES HUCKS ("HUCKS"), and FERNANDO TORRES, the operators of a source, namely, the business premises of defendant STARLITE, located at 11225 Mulberry Avenue, Fontana, California, knowingly tampered with and rendered inaccurate, and willfully caused to be tampered with and rendered inaccurate, a monitoring device and method, namely, an ISCO 24-hour sampler device and a pH probe, that defendant STARLITE was required to operate and maintain in order to monitor certain chemical parameters of defendant STARLITE's wastewater effluent that was discharged to a publicly owned treatment works ("POTW") operated and maintained by the County Sanitation Districts of Los Angeles County and to another POTW operated and maintained by the Inland Empire Utilities Agency. Specifically, on or about June 3, 2015, defendant HUCKS and other employees, acting under the direction of defendant STARLITE, removed an ISCO sampler device hose and pH probe from a sample box, where it would be used to monitor defendant STARLITE's discharged wastewater, and, instead, placed the hose and the pH probe into a bucket of water in order to evade detection of low pH wastewater and other pollutants being discharged into the POTW.



## COUNT TWELVE

[33 U.S.C. § 1319(c)(4), 18 U.S.C. § 2(b)]

On or about June 4, 2015, in San Bernardino County, within the Central District of California, defendants STARLITE RECLAMATION ENVIRONMENTAL SERVICES, INC. ("STARLITE"), CHRISTOPHER JARAMILLO, ROBERT SHERMAN CONN, and ANDREW JAMES HUCKS ("HUCKS"), as operators of a source, namely, the business premises of defendant STARLITE, located at 11225 Mulberry Avenue, Fontana, California, knowingly tampered with and rendered inaccurate, and willfully caused to be tampered with and rendered inaccurate, a monitoring device and method, namely, an ISCO sampler device hose and a pH probe, that defendant STARLITE was required to maintain in order to monitor the pH level of defendant STARLITE's wastewater effluent that was discharged to a publicly owned treatment works ("POTW") operated and maintained by the County Sanitation Districts of Los Angeles County and to another POTW operated and maintained by the Inland Empire Utilities Agency. Specifically, on or about June 4, 2015, defendant HUCKS removed an ISCO sampler device hose and a pH probe from a sample box, where it would be used to monitor the pH level of


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1 defendant STARLITE's discharged wastewater, and, instead, placed the  
2 hose and the pH probe into a bucket of water in order to evade  
3 detection of low pH wastewater and other pollutants being discharged  
4 into the POTW.

6 A TRUE BILL

8   
9 Foreperson

10 SANDRA R. BROWN  
11 Acting United States Attorney

12   
13 *Scott Garringer*  
14 *Deputy Chief, Criminal Division For:*

15 LAWRENCE S. MIDDLETON  
16 Assistant United States Attorney  
17 Chief, Criminal Division

18 JOSEPH O. JOHNS  
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21 Community Safety Crimes Section

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